

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

John Goodwin,) Civil Action No.: 5:14-CV-1671-MGL
)
 Plaintiff,)
)
 vs.) **ORDER AND OPINION**
)
 South Carolina State University; Small)
 Business Development Centers; Michelle)
 Abraham; Barbara Adams; and Dolline)
 Tucker,)
)
 Defendants.)
)
_____)

This employment matter is now before the Court upon the Magistrate Judge's Report and Recommendation filed on February 19, 2015, recommending this case be dismissed without prejudice pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure as none of the parties to the case filed a motion for substitution within 90 days after service of a statement noting the death of John Goodwin, the plaintiff in this matter. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 D.S.C., this pretrial employment discrimination matter was referred to United States Magistrate Judge Shiva V. Hodges for consideration. The Report and Recommendation sets forth in detail the relevant facts and standards of law on this matter, and the Court incorporates such without a recitation.

The Court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b). In the absence

of a timely filed objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005). No objections have been filed to the Report and Recommendation, and the time for doing so has expired.

After reviewing the Report and Recommendation of the Magistrate Judge and the record in this case, the Court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is ORDERED that this case is dismissed without prejudice pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

s/Mary G. Lewis
United States District Judge

Columbia, South Carolina
March 11, 2015